S. 1853 Bowen Enlol [illegible] Public № 5-27

DEPARTMENT OF STATE FEB 23 1889 RECEIVED

EXECUTIVE MANSION FEB 21 1889 RECEIVED

Fiftieth Congress of the United States of America;

At the Second Session,

Begun and held at the City of Washington on Monday, the third day of December, one thousand eight hundred and eighty-eight.

AN ACT

To provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form Constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States.

Be it enacted *by the Senate and House of Representatives of the United States of America in Congress assembled,* **That** the inhabitants of all that part of the area of the United States now constituting the Territories of Dakota, Montana, and Washington, as at present described, may become the States of North Dakota, South Dakota, Montana, and Washington, respectively, as hereinafter provided.

Sec. 2. That the area comprising the Territory of Dakota shall, for the purposes of this act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory; and the delegates elected as hereinafter provided to the Constitutional Convention in districts north of said parallel shall assemble in Convention, at the time prescribed in this act, at the City of Bismarck; and the delegates elected in districts south of said parallel shall, at the same time, assemble in Convention at the City of Sioux Falls.

Sec. 3. That all persons who are qualified by the laws of said Territories to vote for representatives to the legislative assemblies thereof, are hereby authorized to vote for and choose delegates to form Conventions in said proposed States; and the qualifications for delegates to such Conventions shall be such as by the laws of said Territories respectively persons are required to possess to be eligible to the legislative assemblies thereof; and the aforesaid delegates to form said Conventions shall be apportioned within the limits of the proposed States, in such districts as may be established as herein provided, in proportion to the population in each of said Counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from

Union, the Senators and Representatives shall be entitled to be admitted to seats in Congress, and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the officers of the State governments formed in pursuance of said constitutions, as provided by the constitutional conventions, shall proceed to exercise all the functions of such State officers; and all laws in force made by said Territories, at the time of their admission into the Union, shall be in force in said States, except as modified or changed by this act or by the constitutions of the States, respectively.

Sec. 25. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislatures of said Territories or by Congress, are hereby repealed.

Approved February 22, 1889

Grover Cleveland

John G. Carlisle
Speaker of the House of Representatives.

John J. Ingalls.
President of the Senate pro tempore.

An Act to provide for the division of Dakota into two states and enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and state governments (Enabling Act of 1889), February 22, 1889, Public Law 50-52, 50th Congress; General Records of the U.S. Government, National Archives and Records Administration